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EXAMINER
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MISLEH, JUSTIN P

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 09/09/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/937,703

Applicant(s)

MONTAUT, BRIAN E

Examiner

Justin P Misleh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,6,8,10,15,17,19,33,47,48,53,54,81,86,88,90,93 and 101 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,8,10,15,17,19,33,47,48,53,54,81,86,88,90,93 and 101 is/are rejected.
- 7) ☒ Claim(s) 1,2,5,6,8,10,15,17,19,33,47,48,53,54,81,86,88,90,93 and 101 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6</u> .   | 6) <input type="checkbox"/> Other: ____                                     |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement filed 2 January 2002 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but only the information in which a legible copy has been submitted therewith has been considered. Please see the attached initialed copy of form PTO-1449 for details.

### *Specification*

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. **The form and legal phraseology often used in patent claims, such as "comprising", "means", and "said", should be avoided.** The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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3. The disclosure is objected to because of the following informalities: minor typographical errors.

- On page 14 (line 6), the Applicant states, “apparatus 2”; however, the apparatus has been previously defined as “apparatus 10”.

- On page 16 (line 27), the Applicant states, “cms” is shown in figure 5, however, “cm” is clearly shown in figure 5.

- On page 17 (line 4), the Applicant refers to figure 5; however, in correspondence with the context, the Applicant should refer to figure 6 and not figure 5.

Appropriate correction is required.

#### ***Claim Objections***

4. **Claims 2, 5, 6, 8, 10, 15, 17, 19, 33, 48, 53, 54, 81, 86, 88, 90, 93, and 101** are objected to because of the following informalities: lack of precision and clarity.

The following is a detailed analysis of a single claim relating to a particular incident; however, the analysis is applicable to all the claims listed above.

It is the Examiner’s responsibility to suggest claim language to Applicants to improve the clarity or precision of the language used in the claims. The essential inquiry pertaining to this requirement is whether the claims set out and circumscribe a particular subject matter with a reasonable degree of clarity and particularity. See MPEP 2173.02 [R-1].

- Turning to Claim 19, the Applicant states at several instances therein, the following phrases: “and preferably” and “and advantageously”. The Examiner believes this language reduces the clarity and precision of the claim in such a way that there may be doubt as to the

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scope of the claim language; hence, there is no need for this language. The Examiner recommends that the Applicant delete this type of language from all the claims.

- Turning to Claim 10, the Applicant states, at least once therein: “alternatively”. The Examiner believes this language reduces the clarity and precision of the claim in such a way that there may be doubt as to the scope of the claim language. For instance, “alternatively” may be interpreted as “and/or” or just plain “or”. For the case of Claim 10, page 15 (line 10 – 27) of the specification points out that “alternatively” is clearly interpreted as “or”. For the purposes of clarity and precision, “alternatively” should be replaced with “or”. The Examiner recommends that the Applicant delete and replace, according to the specification, this type of language from all the claims.

- Turning to Claim 5, the Applicant states, at least once therein: “but correlated therewith”. The Examiner believes this language reduces the clarity and precision of the claim in such a way that there may be doubt as to the scope of the claim language. For instance, “but correlated therewith” does specifically identify *what things* are correlated. For the case of Claim 5, page 18 of the specification points out an association between the stored measuring scale and the stored digital image; however, the stored digital image and the stored measuring scale may be stored in location separate from each other. For the purposes of clarity and precision, “but correlated therewith” should be replaced with language that specifically identifies an association between the stored image and the stored computed value. The Examiner recommends that the Applicant delete and replace, according to the specification, this type of language from all the claims.

**Appropriate correction is required.**

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5. **Claims 1, 2, 5, 6, 8, 47, 48, and 90** are objected to because of the following informalities: minor typographical errors that present antecedent basis problems.

Claim 1 states, therein, “a linear dimension of an objection from image (2, 41, 8) of the object”. To alleviate the typographical errors “a linear dimension of an objection from image (2, 41, 8) of the object” should be replaced with “a linear dimension of an object from an image (2, 41, 8) of the object”.

Furthermore Claims 1 and 47 states, therein, “computing the magnification of the image (2, 41)”. To alleviate the typographical errors “computing the magnification of the image (2, 41)” should be replaced with “the step of computing a magnification of the image (2, 41, 8)”.

Furthermore Claims 1 and 47 states, therein, “for facilitating the derivation of a measuring scale (12, 42, 14)”. To alleviate the typographical errors, “for facilitating the derivation of a measuring scale (12, 42, 14)” should be replaced with “for facilitating a derivation of a measuring scale (12, 42, 14)”. Claim 90 contains several similar errors.

Claims 2 and 48 state, therein, “the computed value of the magnification”. To alleviate the typographical error “the computed value of the magnification” should be replaced by “the computed magnification”. The error is carried over into Claims 5 and 8.

Claim 6 states, therein, “from the stored image”. To alleviate the typographical error “from the stored image (2)” should be replaced with “from the image (2), which is also stored”.

**Appropriate correction is required.**

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 10, 19, 33, 54, and 81** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

8. For **Claim 33**, the Applicant states "A method as claimed in Claim 1 characterized in that the image and the measuring scale (12, 42) is formed on a receiving means (3, 52) in the image plane (4), and preferably, the receiving means (3, 52) comprises a photosensitive medium (3, 52), and advantageously, the receiving means (3, 52) comprises a charge coupled device, and preferably, the measuring scale (12, 42) is formed by a light projecting means (35), and advantageously, the measuring scale (12, 42) is formed by a light masking means, and preferably, the measuring scale (12, 42) is formed by an electronic forming means (26), alternatively, the measuring scale (12, 42) is formed by a mechanical forming means, and advantageously, the measuring scale (12, 42) is converted to electronic signals, and preferably, the image (2) is converted to electronic signals, and advantageously, the electronic signals are analogue signals, alternatively, the electronic signals are digital signals."

The claim requires that the image and the measuring scale be formed on a receiving means. The claim then requires details on the receiving means wherein the receiving means is required to be a photosensitive medium and wherein the receiving means is required to be a charge coupled device. The claim then requires details on how the measuring scale is formed. First, the claim requires that the measuring scale be formed by a light projecting means. Second, the claim requires that the measuring scale be formed by a light masking means. Third, the claim requires that the measuring scale be formed by an electronic forming means and/or (or) a

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mechanical forming means. Lastly, the claim requires that the measuring scale and image be converted into either analog or digital electronic signals.

The various first and second limitations regarding the receiving means and the various first, second, and third limitations regarding the forming of the measuring scale are not referred to in an alternative format such as: first or second or third or fourth. Rather, the limitations are all required with no claimed relationship between each limitation, thus, making it impossible to determine the metes and bounds of the claim.

For these reasons, Claim 33 is indefinite. However, for the purposes of examination, the Examiner will interpret Claim 33 as follows: "A method as claimed in Claim 1 characterized in that the image is formed on a receiving means in the image plane, wherein the receiving means comprises a charge coupled device, and the measuring scale is formed by an electronic forming means, wherein the measuring scale and the image are both electronic signals, wherein the electronic signals are either analog signals or digital signals."

9. Again with **Claim 19**, several different limitations are all required regarding the forming the measuring scale. For instance, "the measuring scale is formed" ... "adjacent at least one edge" ... "around the periphery of the area" ... "adjacent the image".

The various limitations the forming of the measuring scale are not referred to in an alternative format such as: first or second or third or fourth. Rather, the limitations are all required with no claimed relationship between each limitation, thus, making it impossible to determine the metes and bounds of the claim.

For these reasons, Claim 19 is indefinite. However, for the purposes of examination, the Examiner will interpret Claim 19 as follows: "A method as claimed in Claim 1 characterized in



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that the measuring scale is adapted to be moveable in the image plane relative to the image and the measuring scale is formed adjacent at least one edge of an area of the image plane within which the image is formed wherein the measuring scale is comprised of a plurality of spaced apart graduations wherein the graduations of the measuring scale are equally spaced apart or the measuring scale is provided by a circle, the diameter of which corresponds to one or more measuring units and the type and number of measuring units to which the diameter of the circle corresponds are displayed along with the circle and the type and number of measuring units to which the diameter of the circle corresponds are displayed within the circle and the circle is bisected by a line corresponding to a diameter of the circle and the diameter line extends horizontally and the measuring scale corresponds to the metric measuring system or the measuring scale corresponds to the British Imperial System.”

10. **Claims 10, 54, and 81** also have issues similar to Claims 19 and 33. For the purposes of examination, the Examiner will interpret Claims 10 and 81 in a fashion that eliminates the issues. In the very least, Claims 10 and 81 present several alternative limitations as required limitations; thereby providing limitless claims. In the very least, Claim 54 presents several instances wherein several alternative limitations are presented as required limitations. See the rejections, if any, below for details.

### ***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 1, 2, 5, 6, 8, 10, 15, 17, 19, 33, 47, 48, 53, 81, 86, 88, 90, 93, and 101** are rejected under 35 U.S.C. 102(e) as being anticipated by Wakabayashi et al. For the following rejections, please refer to figures 1A, 2 – 5, 7, 8, and 14 and as stated in columns 4 (lines 3 – 23), 5 (23 – 53), 6 (lines 35 – 63), 8 (lines 37 – 67), 9 (lines 1 – 12), 13 (lines 38 – 67), and 14 (lines 1 – 13).

13. For **Claim 1** (please see objection above), Wakabayashi et al. disclose a method (see figure 1A) for facilitating a determination of a linear dimension (L and 18; see figures 4 or 5) of an object (Boy) from an image of the object formed by an image forming process (either film-based forming process or electronic-based forming process; see figures 2 and 14, respectively), characterized in that the method comprises the step of computing a magnification of the image formed in an image plane of the image forming process relative to the object (see figure 7 and column 6, lines 35 – 63) for facilitating a derivation of a measuring scale (15, 16, 19, and 20) for subsequent reproduction along with a reproduction of the image (the scale is imprinted either optically on the film-based image or electronically on the electronic-based image; see column 4, lines 4 – 9), the magnification of the reproduced measuring scale (15, 16, 19, and 20) corresponding to the magnification of the reproduced image (see column 5, lines 40 – 44).

14. As for **Claim 2** (please see objection above), Wakabayashi et al. disclose a method as claimed in Claim 1 characterized in that the measuring scale (15, 16, 19, and 20) is derived from the computed magnification of the image (see figure 7 and column 6, lines 35 – 63) and the measuring scale (15, 16, 19, and 20) derived from the computed magnification of the image is formed in the image plane along with the image (see figures 4 and 5) and the computed

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magnification of the image is stored (stored in semiconductor memory 38; see column 8, lines 51 – 54).

15. As for **Claim 5** (please see objection above), Wakabayashi et al. disclose a method as claimed in Claim 2 characterized in that the image is stored (stored in semiconductor memory 38; see column 8, lines 51 – 54) and the stored computed magnification of the image (also stored in semiconductor memory 38, lines 51 – 54) is stored separately from the stored image (Wakabayashi et al. explicitly states “the semiconductor memory includes an image data storage area ... scale storage area”; see column 9, lines 2 – 4. The measuring scale and the image data need to be correlated in Wakabayashi et al. or else the invention of Wakabayashi et al. fails.).

16. As for **Claim 6** (please see objection above), Wakabayashi et al. disclose a method as claimed in Claim 1 characterized in that the measuring scale (15, 16, 19, and 20) is stored (in semiconductor memory 38) and the measuring scale (15, 16, 19, and 20) is stored separately from the image, which is also stored (Wakabayashi et al. explicitly states “the semiconductor memory includes an image data storage area ... scale storage area”; see column 9, lines 2 – 4. The measuring scale and the image data need to be correlated in Wakabayashi et al. or else the invention of Wakabayashi et al. fails.).

17. As for **Claim 8** (please see objection above), Wakabayashi et al. disclose a method as claimed in Claim 2 characterized in that the stored computed magnification of the image and the measuring scale (15, 16, 19, and 20) are stored electronically and the stored computed magnification of the image and the measuring scale (15, 16, 19, and 20) are stored in digital format (see column 8, lines 51 – 54; Although it is not explicitly stated, the computed magnification and the digital image signal cannot be stored in the same semiconductor memory

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36 if both signals are not digital. Wakabayashi et al. states that the image signal is a digital image signal.).

18. As for **Claim 10** (please see objection above and 112, 2<sup>nd</sup> paragraph, rejection above), Wakabayashi et al. disclose a method as claimed in Claim 1 characterized in that the magnification of the image is computed as a function of the distance of the image plane from the optical center of the lens which forms the image of the object and the focal length of the lens (see column 6, lines 42 – 48). The focal length of the lens is a function of the image plane from the optical center of the lens, since when the lens moves closer or further from the image plane, the focal length correspondingly changes.

19. As for **Claim 15** (please see objection above), a method as claimed in Claim 10 characterized in that the distance of the image plane from the optical center of the lens and the focal length of the lens are determined by electronic computing (CPU 6; ranging 4; and focusing 5) or (Note only the previous limitation is required since this limitation is an alternative) the distance of the image plane from the optical center of the lens and the focal length of the lens are determined mechanically.

20. As for **Claim 17** (please see objection above), Wakabayashi et al. disclose a method as claimed in Claim 1 characterized in that the computation of the magnification of the image relative to the object (see figure 7 and column 6, lines 35 – 48) is carried out by electronic computing (CPU 6; see column 6, lines 49 – 63) and the measuring scale (15, 16, 19, and 20) is adapted to be formed in the image plane in a desired location relative to the image of the object (see figures 4 and 5).

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21. As for **Claim 19** (please see objection above and 112, 2<sup>nd</sup> paragraph rejection above), Wakabayashi et al. disclose a method as claimed in Claim 1 characterized in that the measuring scale is adapted to be moveable in the image plane relative to the image and the measuring scale is formed adjacent at least one edge of an area of the image plane within which the image is formed (see figures 4, 5, and 10B – 13) wherein the measuring scale is comprised of a plurality of spaced apart graduations wherein the graduations of the measuring scale are equally spaced apart (see figure 4; Note: the following limitations are not required because are alternative in nature to the previous limitation) or the measuring scale is provided by a circle, the diameter of which corresponds to one or more measuring units and the type and number of measuring units to which the diameter of the circle corresponds are displayed along with the circle and the type and number of measuring units to which the diameter of the circle corresponds are displayed within the circle and the circle is bisected by a line corresponding to a diameter of the circle and the diameter line extends horizontally and the measuring scale corresponds to the metric measuring system or the measuring scale corresponds to the British Imperial System.

22. As for **Claim 33** (please see objection and 112, 2<sup>nd</sup> paragraph, rejection above), Wakabayashi et al. disclose a method as claimed in Claim 1 characterized in that the image is formed on a receiving means (CCD 36) in the image plane, wherein the receiving means comprises a charge coupled device (CCD 36; see figure 14), and the measuring scale (15, 16, 19, and 20) is formed by an electronic forming means (character generator 39), wherein the measuring scale (15, 16, 19, and 20) and the image are both electronic signals, wherein the electronic signals are either analog signals or digital signals (A/D Converter 37).

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23. For **Claim 47** (please see objection above), Wakabayashi et al. disclose an apparatus (see figures 2 and 14) for facilitating a determination of a linear dimension (L and 18; see figure 4) of an object (Boy) from an image of the object formed by an image forming process (either film-based forming process or electronic-based forming process; see figures 2 and 14, respectively), characterized in that the apparatus (see figures 2 and 14) comprises a computing means (control circuit 6) for computing a magnification of the image formed in an image plane of the image forming process relative to the object (see figure 7 and column 6, lines 35 – 63) for facilitating a derivation of a measuring scale (15, 16, 19, and 20) for subsequent reproduction along with a reproduction of the image (the scale is imprinted either optically or electronically on the film-based image or electronic-based image; see column 4, lines 4 – 9), the magnification of the reproduced measuring scale (15, 16, 19, and 20) corresponding to the magnification of the reproduced image (see column 5, lines 40 – 44).

24. As for **Claim 48** (please see objection above), Wakabayashi et al. disclose an apparatus as claimed in Claim 47 characterized in that a means is provided for deriving the measuring scale (15, 16, 19, and 20) from the computed magnification of the image (CPU 6) and a means for forming the measuring scale (15, 16, 19, and 20) along with the image is provided (see figures 4 and 5) and a magnification storing means (56) is provided for storing the computed magnification of the image and a measuring scale storing means (semiconductor memory 38) is provided for storing the measuring scale (15, 16, 19, and 20) and an image storing means (38) is provided for storing the image .

25. As for **Claim 53** (please see objection above), Wakabayashi et al. an apparatus as claimed in Claim 48 characterized in that the magnification storing means and the measuring

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scale storing means are separate from the image storing means but correlated with the image storing means (Wakabayashi et al. explicitly states “the semiconductor memory includes an image data storage area ... scale storage area”; see column 9, lines 2 – 4. The measuring scale and the image data need to be correlated in Wakabayashi et al. or else the invention of Wakabayashi et al. fails.).

26.

27. As for **Claim 81** (please see objection above and 112, 2<sup>nd</sup> paragraph, rejection above), Wakabayashi et al. disclose an apparatus as claimed in Claim 47 characterized in that a receiving means is located in the image plane for receiving the image and the receiving means comprises a photosensitive medium (film 11) and the means (35) for forming the measuring scale (15, 16, 19, and 20) is adapted for forming the measuring scale on the receiving means (LED Array 9).

28. As for **Claim 86** (please see objection above), Wakabayashi et al. disclose an apparatus as claimed in Claim 81 characterized in that the means for forming the measuring scale comprises a light projecting means (LED Array 9) for projecting light onto the receiving means (film 11) for forming the measuring scale thereon.

29. As for **Claim 88** (please see objection above), Wakabayashi et al. disclose an apparatus as claimed in Claim 81 characterized in that the means for forming the measuring scale comprises an electronic forming means (Character Generator 39) for electronically forming the measuring scale.

30. As for **Claim 90** (please see objection above), Wakabayashi et al. disclose, as stated in column 8 (lines 45 – 55), an apparatus as claimed in Claim 47 characterized in that the magnification, the image, and the measuring scale are stored in an electronic storing means (38)

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and the magnification value of the image is stored in a digital format in the electronic storing means and the measuring scale is stored in a digital format in electronic storing means (38).

Although it is not explicitly stated, the computed magnification and the digital image signal cannot be stored in the same semiconductor memory 36 if both signals are not digital.

Wakabayashi et al. states that the image signal is a digital image signal.

31. As for **Claim 93** (please see objection above), Wakabayashi et al. disclose, as stated in column 4 (lines 3 – 12), an apparatus as claimed in Claim 47 characterized in that the apparatus is adapted for use in a photographic camera (see figure 2) or the apparatus is adapted for use is a telephotographic camera or the apparatus is adapted for use in a video camera or the apparatus is adapted for use in a digital camera (see figure 14) or the apparatus is adapted for incorporation into a photographic camera or the apparatus is adapted for incorporation into a telephotographic camera or the apparatus is adapted for incorporation into a video camera or the apparatus is adapted for incorporation into a digital camera.

32. As for **Claim 101** (please see objection above), Wakabayashi et al. disclose, as stated in column 4 (lines 3 – 12), a camera characterized in that the camera comprises the apparatus as claimed in Claim 47 and the camera is a photographic camera (see figure 2) or the camera is a telephotographic camera or the camera is a video camera or the camera is a digital camera (see figure 14).



Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 703.305.8090. The Examiner can normally be reached on Monday through Thursday from 7:30 AM to 5:30 PM and on alternating Fridays from 7:30 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wendy R Garber can be reached on 703.305.4929. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM  
September 3, 2004

  
NGOC-YEN VU  
PRIMARY EXAMINER